

DLD-91

December 28, 2007

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **07-4423**

ANTHONY A. COOPER, JR.

VS.

WARDEN THOMAS CARROLL, ET AL.

(D. DEL. CIV. NO. 06-CV-00396)

Present: BARRY, CHAGARES AND NYGAARD, CIRCUIT JUDGES.

Submitted is appellant's request for a certificate of appealability under 28 U.S.C. § 2253(c)(1)

in the above-captioned case.

Respectfully,

Clerk

MMW/TRA/zm/pdb

ORDER

The foregoing application for a certificate of appealability is denied because Anthony A. Cooper has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253. Jurists of reason would not debate the District Court's decision to deny Cooper's petition. See Miller-El v. Cockrell, 537 U.S. 322, 338 (2003) (citing Slack v. McDaniel, 529 U.S. 473, 484 (2000)). For the reasons given by the District Court, some of Cooper's claims were not cognizable, some were procedurally barred, and the rest were without substantive merit.

By the Court,

/s/ Maryanne Trump Barry
Circuit Judge

Dated: January 25, 2008

PDB/cc: Mr. Anthony A. Cooper, Jr.

Elizabeth R. McFarlan, Esq.



Marcia M. Waldron

Marcia M. Waldron, Clerk